

EXHIBIT "A"

5 (5/01)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):



FEPA



EEOC

and EEOC

State or local Agency, if any

Name (Indicate Mr., Ms., Mrs.):

MR. ROY JAMES TARPLEY, JR.

Date of Birth

11/28/1964

Street Address City, State and ZIP Code

4200 WESTHEIMER SUITE 130 HOUSTON, TEXAS 77027

I am the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two are named, list under PARTICULARS below.)

Name

THE NATIONAL BASKETBALL ASSOCIATION

No. Employees, Members

15+

Phone No. with Area Code

212-407-8000

Street Address

City, State and ZIP Code

645 FIFTH AVENUE NEW YORK, NEW YORK 10022

Name

No. Employees, Members

Phone No. with Area Code

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☐ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☐ RETALIATION ☐ AGE ☒ DISABILITY ☐ OTHER (Specify below.)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

07/07/03

10/04/2005



CONTINUING ACTION

IF PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

(SEE ATTACHMENT)

RECEIVED
 2006 JUL 20 PM 12:22
 DISTRICT OFFICE
 EEOC

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

July 20, 2006
DateRoy Tarpley Jr.
Charging Party Signature

NOTARY - When necessary for State or Local Agency Requirements

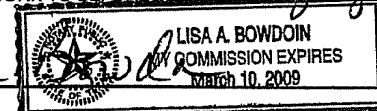
I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

Roy Tarpley Jr.

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE July 20, 2006
(month, day, year)

Lisa A. Bowdoin



Attachment with Exhibits 1-9

Handicap Discrimination Charge
Charging Party ; Roy J. Tarpley, Jr.
Respondents \: The National Basketball Association

RECEIVED
2006 JUL 20 PM 12:22
DISTRICT OFFICE
EEOC

1. **I maintain that the NBA has wrongfully obstructed my reinstatement and my ability to earn a living with professional basketball in the United States.**
2. **I have successfully complied with the drug testing and rehabilitation program which the NBA required for reinstatement.**
3. **The NBA has refused to honor their requirements for reinstatement and , as such , it's. Anti-Drug Program and Reinstatement program is arbitrary and capricious and has clearly discriminated against me, a recovering substance abuser.**
4. Prior to 1995, I was employed by the Dallas Mavericks as an NBA Basketball player. During my employment as a player I was suspended for violation of the NBA's drug and alcohol policy. I was eventually reinstated but was prohibited from the further use of any alcohol. While on injured reserves, I tested positive for alcohol by blowing 0.003 into a Breathalyzer and was dismissed from the NBA on December 7, 1995.
5. After December 1995 I played overseas. I started my recovery program in 2003 with the help of John Lucas and Gus Gerard director of Next Step for Men. (See Exhibit 1: Detroit News article 12/11/05 **Roy Tarpley's Long Road Back**)
6. On 7/07/03 I applied for reinstatement with the NBA.(See Exhibit 2) This was important because I had a few good years left as a professional basketball player and I also wished to regain my reputation particularly since the public had been led to believe that I was dismissed for illegal drug use rather than the above alcohol levels.
7. On 7/15/03, I received a letter from Michelle Pujals (Assistant General Counsel for the NBA) requiring that I have weekly drug testing for 12 months prior to submission for my reinstatement application.(Exhibit 3) I had entered The Next Step For Men program run by Gus Gerard and John Lucas (former NBA players).
8. On 5/26/04 Gus Gerard wrote the NBA recommending me for reinstatement stating that " Roy appears to have made the lifestyle changes necessary to maintain long term sobriety and be positive influence on younger players." In his letter he explained a gap in testing due to my playing overseas (Exhibit 4)
9. On 6/10/2004 and 10/22/2004 Ms. Pujals rejected my application because I had not met

9. On 6/10/2004 and 10/22/2004 Ms. Pujals rejected my application because I had not met the strict requirement to have testing performed every week for a period of twelve months.(Exhibit 5)
10. In order to meet this requirement, **I completely put my career on hold, turned down my existing work and offers to play overseas**, and moved to the Next Step for Men facility so that I could comply with the NBA's requirement that I be tested every week.
11. On 2/15/05 Gus Gerard(the Director of Next Step for Men) wrote the NBA stating that my testing would be finished on 4/27/05. He further states " He has done over 80 hrs of service work in the community speaking to court referred children and adults who have got in trouble with drugs and alcohol." (Exhibit 6)
12. I sent all the records of my tests to the NBA upon completion of the 12 month testing requirement. (Exhibit 7)
13. On March 10, 2005 I received a letter from Ms. Pujals of the NBA acknowledging receipt of all my drug testing-performed in accordance with their requests.(Exhibit 8)
14. At the NBA's request, I filed a new application and was informed by the NBA that everything looked good for reinstatement.
15. Suddenly, on October 4, 2005, in complete disregard of my efforts and my compliance with the NBA guidelines, I received a letter from Richard Buchanan stating that they would not grant my application I and would still be disqualified from the NBA.
16. To date, the NBA has given no specific reason for their rejection of my reinstatement.
17. It is obvious that the NBA had never intended to reinstate me and the NBA hoped that I would either be unable to comply with the weekly drug testing requirement or fail a drug test.
18. The NBA's action is clearly discriminatory and cruel. The NBA has obstructed my ability to earn a living as a professional player. I made a substantial sacrifice of time, employment, and revenue to comply with the NBA's drug testing requirements. Furthermore, I relied upon the NBA's representations when I forbore from playing professional basketball. This activity has cost me valuable time while still young enough to compete in professional basketball during the remaining years left in my career.
19. **The NBA Anti-Drug Program and Reinstatement program is arbitrary and capricious and has clearly discriminated against me, a recovering substance abuser.**


Roy Tarpley

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Roy Tarpley's long road back

Ex-Michigan star, 41, is driven to return to NBA

Terry Foster / The Detroit News

December 11, 2005

MUSKEGON-- Former Michigan basketball star Roy Tarpley kept one eye on the clock as he sprinted downcourt during a workout at Muskegon Heights Middle School on Friday afternoon.

The clock struck 1:30. The local cable company said it would send a truck to his one-bedroom apartment to install his service between 1-5 p.m. But practice edged on following a two-hour meeting inside a cramped locker room.

Tarpley was getting edgy.

"I got to get my cable," he thought.

When Muskegon Mayhem coach Reggie Fox signaled the end of practice, Tarpley was both nervous and ecstatic. Did he miss his opportunity for the Sci-Fi Channel?

He slipped into his snow boots and coat and put on his hat.

"Come on. We got to go," Tarpley said to teammate Toshiro Germany, who lives in the same complex. He was Tarpley's ride home.

Friday was a big day for Tarpley's mental stability. He needed the Sci-Fi Channel, ESPN and the Cartoon Channel to get through the long and lonely days. His mind is long cleansed from drugs and alcohol, the vices that took him from the bright lights and fame of the NBA to this west Michigan outpost. He plays in front of a few hundred fans at L.C. Walker Arena, in the Continental Basketball Association.

Once, Tarpley was a millionaire living the big life as one of the Dallas Mavericks' star players. He was not only the life of the party, he was the party.

"To me, the party did not begin until I got there and it ended when I left," he said.

Now 41, he admits he also was arrogant and self-centered and pushed celebrity to the limit.

Tarpley starred at Detroit Cooley High School and Michigan. He was a smooth-shooting center with the skills of a guard and a winning smile. After he was drafted seventh overall in 1986, his toughest decision most days was which car to drive to games and practices.

But the fast life brought him to his knees. It resulted in two NBA substance-abuse suspensions, a divorce, jail time, bankruptcy, and ultimately a lifetime ban from the league.

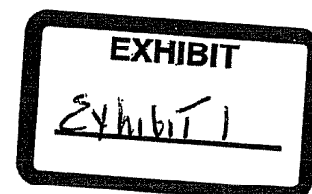
He has lived with that ban for 10 years, but is fighting to return.

Tarpley lives in solitude in the far reaches of the basketball world as a center on the second-year Mayhem, a team that took a 2-6 record into a Saturday home game against Idaho.

He makes about \$1,000 a week. He hitches rides from teammates and is trying to work himself back into shape, weeks after the NBA rejected his latest appeal for reinstatement, in October. He has been clean of drugs for 10 years. He last sipped a drink two years ago and says he feels more complete, even though the suspensions voided \$22 million of a \$26 million contract.

"My way did not work," he repeated several times.

The ban



Tarpley revealed for the first time Thursday and Friday, during a lengthy interview, that he was banned from the NBA in 1995 because he tested positive for alcohol, not drugs as many assumed. He admits he was an alcoholic and had beers with friends. An NBA counselor showed up at his home for a random test. Tarpley blew a 0.003 into a Breathalyzer. The alcohol concentration in his bloodstream was three-one-hundredths of a percent.

Nevertheless, his wild NBA ride was over two weeks later.

Weeks, months and years have passed since then, but Tarpley is no less eager to return to the NBA. His Houston-based attorney, Joe Walker, has joined the reinstatement crusade. Walker said he will write a letter to NBA commissioner David Stern this week to ask that Tarpley be reinstated. If that tactic fails Tarpley could file suit, although he hopes that won't be necessary.

If a player has been suspended by the NBA for a violation of its substance-abuse policy, he is not allowed to use drugs or alcohol of any kind. Tarpley said he was unaware that having a beer violated his probation. Walker argues that when the NBA suspended Tarpley it was suspending an alcoholic, not a drug addict.

"If we treated alcoholics like this in this country and went out and cleaned out everybody who was not sober," Walker said, "there would be a lot of people in high positions who would not have jobs."

"That would include a lot of politicians, judges and a lot of guys in the NBA and coaches."

The reality

The blue Navigator rumbled into Tarpley's apartment complex. A white cable truck sat at a stop sign waiting for traffic to clear.

Germany beeped his horn and rolled down the window.

"The guy you are supposed to give service to is right in this car," Germany yelled.

"Well, he is not supposed to be here," the service man joked. "He is supposed to be back there. I will turn around."

Tarpley smiled. The Sci-Fi Channel was just moments away.

Riches to rags

Although he had a lackluster senior season at Michigan, averaging 15.9 points and 8.8 rebounds after averaging 19.0 points and 10.4 rebounds as a junior, Tarpley went to the Mavericks with the seventh pick in the 1986 draft.

He came off the bench his rookie season, playing behind Mark Aguirre, Sam Perkins, James Donaldson, Derek Harper and Rolando Blackman, but made the all-rookie team and helped the Mavericks finish 55-27. They won 53 games the following season, with Tarpley averaging 13.5 points and 11.8 rebounds. Then, in 1989, he was named sixth man of the year.

Tarpley was a celebrity in Dallas. He was invited to all the big parties, including a number where cocaine and heroin were prevalent. He said he thought drug use was part of the celebrity. He hit the party scene with as much gusto as he attacked the glass on the basketball court.

But his life off the court compromised his life on it.

Tarpley sought drug counseling after his rookie season, and, in January 1989, he was suspended for the first time. A month later, the Mavericks traded Aguirre to the Pistons for Adrian Dantley.

Dallas' downward spiral was in full swing. Tarpley was suspended a second time the following season for using cocaine. He spent the next two years playing in Greece before being reinstated in 1994. He signed a six-year, \$26 million contract.

A year later, while he was on the injured list, he went to a restaurant with friends. He drank beer, which violated the NBA's anti-drug policy. He thought he would get a fine and suspension. Instead, he received a lifetime ban.

"They made it seem like I was on drugs, and I did not say anything until today," Tarpley said. "I got caught up in something that is still a mystery to me."

The overseas alternative

Tarpley did not fight the ban. He said he believed he did not need the NBA. He had money, cars and opportunities in Europe and Asia. He bounced around France, Greece, Siberia and China. The pay was good, and American players were treated like royalty.

He said he stayed off drugs but loved to drink beer. He saw this as a sign of strength. At one time, he said, drinking led him to drugs. This time he could drink without turning to drugs.

But after the 9-11 attacks on the World Trade Center and Pentagon, Tarpley became concerned about his safety. Although fans loved him in Greece, he was afraid he might be a target for terrorists.

He wanted to play in the NBA.

The comeback

Tarpley returned home in 2001 and met with former player and coach John Lucas, a reformed drug user who counsels others.

But before Tarpley could commit to the program, he had to serve a brief jail sentence for violating parole when he played in Europe. He was denied permission to leave Texas because of a 1998 assault conviction for dragging his girlfriend out of a taxi and throwing her to the ground.

After Tarpley served his time, Lucas helped him turn his life around. Lucas put him in a 12-step program, encouraged him to attend church and placed him in a Houston halfway house called The Next Step For Men, run by former NBA player Gus Gerard.

"They educated me about this addiction that I have," Tarpley said. "That is why I am at the point I am today."

Gerard was so impressed with Tarpley's recovery that he wrote a letter to Stern on his behalf. Tarpley had offers to return to Europe but stayed in the United States with the hope of being reinstated. A number of NBA teams contacted him and encouraged him to stay in shape just in case. He did.

Tarpley thought he would be reinstated when he played last season for Sioux Falls of the CBA. But applicants must be drug-tested every week for a year. Tarpley received only three tests that season, and passed all of them, but that did not comply with his NBA aftercare program.

He is required by the NBA's collective bargaining agreement to enter a treatment and rehabilitation program, prove he is a suitable role model for youth, possess good character and morality and provide a urine test each week.

Tarpley said he met those criteria this year and took it several steps further. He underwent anger-management counseling and played in a tournament with NBA players in Lake Charles, La., over the summer. He wanted to prove he could play with professionals and remain sober.

But his reinstatement is not guaranteed. It must be approved by the NBA and the National Basketball Players Association.

He thought this would be the year. The NBA called him to New York for a meeting in late summer. But he did not have the money to go. Instead, there was a conference call.

Rejection again.

"Why have a reinstatement program if you are not going to give people a chance?" Tarpley asked. "I would love to see somebody with a better application than mine."

Changed man

The man who plays for Muskegon said he is a different person from the one who played for Dallas.

"I have changed," Tarpley said. "I feel like I am a positive role model and a good story. The NBA said that this is not the story we are looking for. It is not a positive message. How can this not be a positive message? I am a guy who has been battling drugs and alcohol and I have not done drugs for 10 years. I turned my life over to God. How can that not be a positive story?"

Tarpley sat at his kitchen table sipping cherry-vanilla Dr. Pepper. He grabbed his stomach to emphasize the changes he has made.

"It is an inside-out job," he said. "I feel good about what's inside my skin, and that is a wonderful thing. I am not walking around starving, and I feel I am part of something with this team. I want to play in the NBA right now, but maybe I am better where I am right now."

Even if he is too old to play in the NBA, Tarpley believes there is a role for him there. He could lecture young players and tell them "to not do what I did." He believes he can coach and give players guidance.

"Hey, the NBA is still fantastic," Tarpley said. "Don't get me wrong. But I can still play in this league."

Reflection

The cable man placed the paperwork in front of Tarpley.

"You can get Sci-Fi in the bedroom," he said.

Tarpley's eyes lit up.

"My goodness," he said.

What would the old Tarpley think of the man who sits at his kitchen table with his eyes dancing like stars over a cable channel? What would he think of this man trying to hang on to the past? What would he think of this more mature man who fries his own chicken, bums rides from friends and lives away from the glitter, parties and excitement of the big city?

"I think he would respect him," Tarpley said.

You can reach Terry Foster at (313) 222-1494.

Date: 7/7/03

From: Roy Tarpley

To: The National Basketball Association

Re: Reinstatement Application

I am writing this letter to ask the NBA to consider my application for reinstatement. Enclosed are the forms A and B required to start the procedure. All information is correct and up to date. All my legal matters have been taken care of. I have also completed 30 days of Inpatient Treatment with Mr. Gus Gerard LCDC at The Next Step for Men in Houston, TX. I am currently attending Aftercare and taking Random Drug Tests at the Next Step. I am looking forward to completing all of the requirements necessary to be reinstated. On a personal note, I have learned many valuable lessons during my years away. I have matured and understand what it means to be a productive member of society again. Thank you for your consideration of this matter.

Respectfully,

Roy Tarpley





National Basketball Association

OFFICE OF THE GENERAL COUNSEL

Direct Dial: (212) 407-8743

Direct Fax: (212) 888-7931

July 15, 2003

BY REGULAR MAIL

Roy Tarpley
6200 Cottage Hill Road
Mobile, AL 36609

Re: Application for Reinstatement

Dear Mr. Tarpley:

The National Basketball Association (NBA) is in receipt of your Application for Reinstatement, dated July 8, 2003.

Article XXXIII, Section 13(b) of the Collective Bargaining Agreement between the NBA and the Players Association provides that a player will not be reinstated unless he can demonstrate, through proof of urine testing conducted on at least a weekly basis, that he has not tested positive for any substances prohibited by the NBA/NBPA Anti-Drug Program "within the twelve (12) months prior to the submission of his application and during any period while his application is being reviewed."

Your application states that you have only been subject to weekly drug testing since May 14, 2003. In addition, you did not provide any documentary proof of the drug testing that was conducted.

Please contact me directly if you would like to supplement your Application with additional drug testing information (including documents demonstrating that such testing was in fact conducted).

Sincerely,

Michelle C. Pujals
Assistant General Counsel

cc: Robert Gadson, NBPA

EXHIBIT

3

A

Handicap Discrimination Charge
 Charging Party ; Roy J. Tarpley, Jr.
 Respondents \: The National Basketball Association

on 5/26/07

Prior to 1995 , I was employed by the Dallas Mavericks as an NBA Basketball player. During my employment as a player I was suspended for violation of the NBA's drug and alcohol policy. I was eventually reinstated but was prohibited from the use of any alcohol. While on injured reserves, I tested positive () and was dismissed from the NBA on December 7, 1995. Afterwards I played overseas. Eventually, I got into a treatment program, joined AAA and have been clean and sober for----- years..(See Exhibit 1: Detroit News article 12/11/05 **Roy Tarpley's Long Road Back**) On 7/07/03 I applied for reinstatement with the NBA.(See. Exhibit 2) This was important because I had a few good years left as a player and I also wished to regain my reputation particularly since the public had been led to believe that I was dismissed for drug use rather than the above alcohol levels. On 7/15/03, I received a letter from Michelle Pujals Assistant General Counsel for the NBA requiring that I have a weekly drug testing for 12 months prior to submission for my application.(Exhibit 3) I had entered The Next Step For Men program run by Gus Gerard and John Lucas (former NBA players). Gus Gerard wrote the NBA recommending me for reinstatement stating that " Roy appears to have made the lifestyle changes necessary to maintain long term sobriety and be positive influence on younger players." In his letter he explained a gap in testing due to my playing overseas (Exhibit 4) On 6/10/2004 and 10/22/2004 ,Ms. Pujals rejected my application because I had not met the strict requirement to having testing every week for a period of twelve months.(Exhibit 5) In order to meet this requirement, **I completely put my career on hold, turned down offers to play overseas,** and lived at the Next Step for Men facility so I could comply with the NBA's requirement that I be tested every week. On 2/15/05 Gus Gerard the Director of Next Step for Men wrote the NBA stating that my testing would be finished on 4/27/05. He further states " He has done over 8 0 hrs of service work in the community speaking to court referred children and adults who have got in trouble with drugs and alcohol." (Exhibit 6) I sent all the records of my tests to the NBA upon completion. (Exhibit 7) On March 10, 2005 I received a letter from Ms. Pujals acknowledging receipt of all my drug test in accordance with their requests.(Exhibit 8) I filed a new application and was informed by the NBA that everything looked good for reinstatement. Suddenly on October 4, 2005 in complete disregard of my efforts and my compliance with the NBA guidelines, I received a letter from Richard Buchanan stating that they would not grant my application and would still be disqualified from the NBA. To date the NBA has given no specific reason for my rejection. It is obvious that the NBA had no intention from the beginning of ever reinstating me and hoped that I would either be unable to comply with the weekly drug testing requirement or fail a drug test. The NBA's action is clearly both discriminatory and cruel. It both cost me my ability to earn a living when I was going through the hurdles to comply with the drug testing requirements and has cost me my ability to play in the NBA during the remaining years left in my career. **The NBA Anti-Drug Program and Reinstatement program is arbitrary and capricious and clearly discriminates against recovering substance abusers.**

Date: 5/26/04

From: Daniel Gus Gerard LCDC
3401 Fannin St,
Houston, Tx. 77004

To: National Basketball Association

Re: Roy Tarpley, Re-instatement testing

Roy has completed 1 yr. of testing at The Next Step for Men. We are a treatment facility for men recovering from substance abuse. The gap in testing from 12/03 to 4/04 was due to him playing in the CBA and being random tested while playing there. He also has completed Individual Counseling with me from 5/03 to 5/04. Roy appears to have made the lifestyle changes necessary to maintain long term sobriety and be a positive influence on younger players. Should you have any questions concerning Roy, please do not hesitate to call me at 713-526-0311 x18 or my cell at 832-656-8044.

Respectfully,

Daniel Gus Gerard LCDC

ABA/ NBA 1974-1981

Program Director The Next Step for Men



TARPLEY 0157



National Basketball Association

OFFICE OF THE GENERAL COUNSEL

Direct Dial: (212) 407-8743

Direct Fax: (212) 888-7931

June 10, 2004

BY REGULAR MAIL

Roy Tarpley
6200 Cottage Hill Road
Mobile, AL 36609

Re: Application for Reinstatement

Dear Mr. Tarpley:

The National Basketball Association (NBA) is in receipt of your drug testing documentation from The Next Step for Men in Houston, Texas.

As I notified you in July of 2003, Article XXXIII, Section 13(b) of the Collective Bargaining Agreement between the NBA and the Players Association provides that a player will not be reinstated unless he can demonstrate, through proof of urine testing conducted on at least a weekly basis, that he has not tested positive for any substances prohibited by the NBA/NBPA Anti-Drug Program "within the twelve (12) months prior to the submission of his application and during any period while his application is being reviewed."

The drug testing information you have submitted does not meet this requirement. The submitted information, among other things, does not include any results for specimens collected between November 4, 2003 and April 26, 2004. If you have documentary proof of drug testing for that five-month period, please forward it to me.

Sincerely,


Michelle C. Pujals
Assistant General Counsel

cc: Robert Gadson, NBPA
Daniel G. Gerard, The Next Step for Men

EXHIBIT

5



National Basketball Association

OFFICE OF THE GENERAL COUNSEL

Direct Dial: (212) 407-8743

Direct Fax: (212) 888-7931

October 22, 2004

BY REGULAR MAIL

Roy Tarpley
6200 Cottage Hill Road
Mobile, AL 36609

Re: Application for Reinstatement

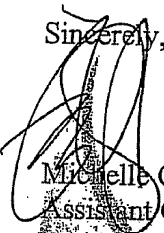
Dear Mr. Tarpley:

The National Basketball Association (NBA) is in receipt of your additional drug testing documentation and the letter from Dr. Stephen Foley of the Sioux Valley Clinic.

As I notified you in July of 2003 and again in June of 2004, Article XXXIII, Section 13(b) of the Collective Bargaining Agreement between the NBA and the Players Association provides that a player will not be reinstated unless he can demonstrate, through proof of urine testing conducted on at least a weekly basis, that he has not tested positive for any substances prohibited by the NBA/NBPA Anti-Drug Program "within the twelve (12) months prior to the submission of his application and during any period while his application is being reviewed."

The drug testing information you have submitted still does not meet this requirement. If you have any additional documentary proof of drug testing, please forward it to me.

Sincerely,


Michelle C. Purals
Assistant General Counsel

cc: Robert Gadson, NBPA
Daniel G. Gerard, The Next Step for Men

EXHIBIT

5



Date: 2/15/05

From: Daniel Gus Gerard LCDC
3401 Fannin St,
Houston, Tx. 77004

To: National Basketball Association

Re: Roy Tarpley, Re-instatement Testing

Roy is a client of mine at The Next Step for Men. We are a treatment facility and transitional living facility for men recovering from substance abuse. He also has completed Individual Counseling with me from 5/03 to 2/15/05. I am submitting test results from the period of 4/27/04 thru 2/14/05. His year of testing will be finished 4/27/05. He has been under my care and his daily workouts are supervised by John Lucas. Roy has made the lifestyle changes necessary to maintain long term sobriety and be a positive influence on younger players. He has also done over 80 hours of service work in the community, speaking to court referred children and adults who have gotten in trouble with drugs and alcohol. Should you have any questions concerning Roy, please don't hesitate to call me at 713-526-0311 x18 or my cell at 832-656-8044.

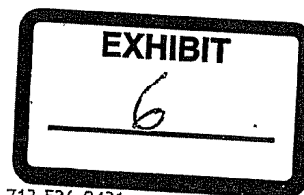
Respectfully,

Daniel Gus Gerard LCDC, CSC

ABA/ NBA 1974-1981

Program Director The Next Step for Men

CC: Dr. Lloyd Baccus





National Basketball Association

OFFICE OF THE GENERAL COUNSEL

Direct Dial: (212) 407-8743
Direct Fax: (212) 888-7931

March 10, 2005

BY REGULAR MAIL

Roy Tarpley
6200 Cottage Hill Road
Mobile, AL 36609

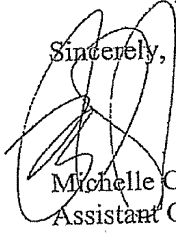
Re: Application for Reinstatement

Dear Mr. Tarpley:

The National Basketball Association (NBA) is in receipt of your additional drug testing documentation and the letter from Dr. Daniel Gus Gerard of The Next Step for Men.

Since your initial Application for Reinstatement was sent to the NBA almost two (2) years ago, we request that you complete and submit to us a new Application for Reinstatement. I have enclosed a blank Application for that purpose. Please send the completed Application directly to me. You will be contacted by a member of the NBA Security Department about your request for reinstatement in the NBA.

Sincerely,


Michelle C. Pujals
Assistant General Counsel

cc: Robert Gadson, NBPA
Daniel G. Gerard, The Next Step for Men

EXHIBIT

8

FORM A

NATIONAL BASKETBALL ASSOCIATION
GENERAL AUTHORIZATION

I am presently applying for a reinstatement as a player in the National Basketball Association (NBA).

1. To assist in the evaluation of my application, I authorize the NBA to request and receive any information concerning me from any persons, companies, corporations, partnerships, associations, credit bureaus, law enforcement agencies, licensing agencies, physicians, therapists and hospitals. I also authorize any of the above parties to furnish the NBA information and reports concerning me as requested by the NBA.

2. I hereby authorize all physicians, hospitals, laboratories, clinics, other health care providers, trainers, and therapists to use and/or disclose to the NBA any health information about me in their possession for any purpose relating to my application for reinstatement in the NBA. "Health information" means my entire health or medical record, including, but not limited to, all information relating to any injury, sickness, disease, condition, medical history, laboratory or test result, medical or clinical status, diagnosis, treatment or prognosis. "Health care provider" means all physicians, hospitals, laboratories, clinics and other health care providers. I understand that any health information that is disclosed pursuant to this paragraph may be redisclosed by the recipient of such information. The authorization under this paragraph shall continue in effect for a period of one (1) year after the date of my signature below, unless I earlier revoke this authorization in a written notice sent to and received by the NBA at 645 Fifth Avenue, New York, New York 10022 (attn.: General Counsel). Any such revocation will not be effective to the extent that any health care provider I have authorized to use and/or disclose and/or receive health information has acted in reliance upon this authorization.

3. I further release and waive any and all claims, liabilities and actions of any kind, howsoever caused or arising and whether by negligence or otherwise, that I may have, or that may arise, against all such parties and the NBA and its related companies and affiliates arising out of, or in connection with, (a) the release of any such information or reports, or (b) the investigation of my application for reinstatement.

Name (print):

ROY TARPLEY

Signature:

Date:

3/16/05

TARPLEY 0152

FORM B

APPLICATION FOR REINSTATEMENT

1. Name: Roy Tarpley
2. Address: 3401 FANNIN Houston, TX 77004
3. Representative: Gus GORDON, John Lucas
Address: 3401 FANNIN
Houston, TX 77004
4. Date and Place of Birth: 11-28-64 - NY, N.Y.
5. Social Security Number: 418-11-4929
6. Date of disqualification from the NBA: 1996097
7. Circumstances of disqualification from the NBA: Failure To Comply
with Alcohol program
8. Describe in detail the extent of your substance abuse before and after you
disqualification from the NBA.

BEFORE: WAS DRINKING regularly - 12 P12 DAY

AFTER: Same - Then STOPPED - NO ALCOHOL FOR LAST 2 YRS

9. Set forth all treatment that you have received for substance abuse,
including every treating physician, therapist and facility, dates of all in-
patient and outpatient treatment, including each element of your
aftercare:

a) prior to your disqualification from the NBA:

NONE

b) after your disqualification from the NBA:

The next step: inpatient
The next step: inpatient - LAST 2 YRS.

10. a) Have you been tested for any substances since disqualification? *YES*
- b) If so, list the substances, testing facilities and dates of tests:
ATL, including Alcohol
- c) Have any such tests been "positive"? If so, for what substances? List dates of all positive tests:
NO
11. Set forth the dates since disqualification that you have used any drugs (including the drug, whether or not prescribed by a physician, and circumstances or use) or alcohol.
NONE
12. List all employment in which you were engaged since disqualification (including address of employer, supervisor and dates of employment):
Went overseas to Europe - 4 CBA 2 1/2 months
13. List each address at which you have resided since disqualification:
*MOBILE - 6200 Cottage Hill Road, Mobile, AL 36689
OVERSEAS -
THE NEXT STEP 3401 FANNIN, HOUSTON, TX 77011*
14. Have you been charged with, arrested for and/or convicted of or pled guilty to any crimes (including felonies, misdemeanors and traffic infractions) since your disqualification? If so, set forth specifics of each such incident, including date, jurisdiction in which the incident occurred, arresting officer, presiding judge, charge and ultimate disposition:
*ASSAULT charge when I came back from overseas in 2003
DID 1 1/2 months in jail - no further consequences since.*
15. Set forth all medical treatment you have received since disqualification (including date of treatment and treating physician):
Stomach Surgery

16. Describe any charitable or civic activities which you have performed since disqualification (including the name and address of the organization, supervisor and dates of involvement):

I am a Regular Speaker at's Amount to 4th grade and Adults who have problems with Alcohol and Drugs. They are Referred to the Counseling Clinic and I help teach the classes. Referred by Judge George R. Brown, Justice Amyice Brown, Judge Emily Andrews - Counselors at the Home, Frank Court, and Gus Leonard etc.

17. Set forth the reasons you contend that your reinstatement as and NBA player is appropriate:

I have worked very hard in rebuilding my life through sobriety. I can and will be a role model for younger players and share my pitfalls and struggles with them. I have changed the way I live and my goals. I only have a few years left to living a game I respect and love. If I get the chance I can lead by example and be a remarkable community player.

18. Set forth any additional considerations you wish to bring to the

Commissioner's attention: MR. STERN, I have spent the last 2 yrs of my life learning how to live and enjoy life without alcohol. Former AAAA player MR. GUS LEONARD and Director of the West Side WAS guided me through and given me the tools I need to be a productive member of society and a good employee. John Lewis has got me in shape physically and mentally to prepare for my step in this journey back. I am sorry for my behavior in the past and I ask please for another chance.

If additional space is needed to complete any answer, please attach additional sheets of paper.

I solemnly swear, under penalty of perjury, that the foregoing information is full, complete and accurate. I acknowledge that any inaccuracies or omissions in this application must result in its being denied or, if approved, revoked.


Signature of Player

Sworn to before me this

____ day of _____ 20____

Notary Public



Date: 7/29/05

From: Daniel Gus Gerard LCDC
3401 Fannin St,
Houston, Tx. 77004

To: Mr. David Stern, Commissioner, National Basketball Assoc.

Re: Roy Tarpley, Re-Instatement

Mr. Stern:

My name is Gus Gerard I am a former ABA and NBA player from 1974-1982. I have been sober for 12 years and I have been a Licensed Chemical Dependency Counselor for 8 years. I am also the Director of The Next Step for Men; we are a treatment facility for men recovering from substance abuse. Roy has been a client of mine for the last 2 years at The Next Step. Roy's substance abuse problems have been in remission for over 2 years, I kept him here because of his positive attitude and also because he had no where else to go. I would like to share that Roy has been a model client while here. He has gone on numerous speaking engagements with me in the community, sharing his strength and hope with children of all ages about the pitfalls of substance abuse. I have taken him on numerous occasions to help me teach Drug and Alcohol Education classes to teenagers referred by local Judges for getting in trouble with drugs and alcohol. Mr. Stern, Roy has made the lifestyle changes necessary to maintain long term sobriety and be a positive influence on young people and the younger players in the league. I would like to highly recommend him for a chance to show the world that recovery and success is possible, and he can be not only a productive player but a solid and productive member of society again. Thanks for your time; I know you are a busy man. Should you have any questions concerning Roy, please don't hesitate to call me at 713-526-0311 x18 or my cell at 832-656-8044.

Respectfully,

Daniel Gus Gerard LCDC
Program Director
The Next Step for Men



National Basketball Association

Richard W. Buchanan
Senior Vice President &
General Counsel

October 4, 2005

BY FEDERAL EXPRESS

Roy Tarpley
c/o The Next Step for Men
3401 Fannin Street
Houston, TX 77004

Re: Application for Reinstatement

Dear Mr. Tarpley:

The NBA has reviewed your application for reinstatement as an NBA player. We have decided not to grant that application and, accordingly, you remain disqualified from participation as a player in the NBA.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. W. Buchanan".

Richard W. Buchanan

cc: Dr. Lloyd T. Baccus, CMA
Robert Gadson, NBPA

EXHIBIT

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